

City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES
July 02, 2025

The Board of Adjustment held a regular meeting in the Council Chambers of the City of Alamo Heights, located at 6116 Broadway St, and via Zoom with teleconference on Wednesday, July 02, 2025 at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chairman
David Rose, Vice Chairman
Wayne Woodard
Lott McIlhenny

Members absent:

Jessica Drought
Sean Caporaletti, Alternate

Staff members present:

Phil Laney, Assistant City Manager
Tyler Brewer, Senior Planner

The meeting was called to order by Chairman Bill Orr at 5:37 p.m.

Mr. Orr moved to approve the April 02, 2025 and May 07, 2025 meeting minutes. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard
AGAINST: None

Case No. 2440 – 227 Rosemary Ave

Application of Chad McCollum of McCollum Family Trust, owner, requesting the following variance(s) in order to allow a driveway and approach to remain in place to accommodate a three-car garage on the property located at **CB 5571A (MCCOLLUM SUBDIVISION), BLOCK 8 LOT 31**, also known as **227 Rosemary Ave**, zoned SF-A:

1. The 35ft 10in wide driveway/approach exceeds the maximum 24ft width allowed per Section 3-21(5) of the City's Zoning Code.

Mr. Laney presented the case. The property owner's representative, Ken Brown, was present and addressed the board. Mr. Brown provided a brief history of the property and the three-car garage on the site. He also noted that the property owner is willing to reimburse the City of Alamo Heights for the curb installed by the City from the subject property to the corner of Rosemary and Buttercup.

Open discussion with the property owner's representative followed regarding the variance request.

Chairman Orr opened the public hearing at 5:50 p.m. No one requested to speak on the case, so the public hearing was closed at 5:51 p.m.

Mr. Rose moved to approve the variance as requested. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2441 – 140 Castano Ave

Application of Alejandra Acuna of the Thorn Group, applicant, representing Nicholas Steven George Tucker and Alyson Mary Tucker, owners, requesting the following self-identified variance(s) in order to construct a rear addition to the main structure on the property located at **CB 4024 BLK 191 LOT 1**, also known as **140 Castano Ave**, zoned SF-A:

1. A proposed 17ft 9in rear yard setback to the main structure instead of the minimum 20ft required per Section 3-16(1) of the City's Zoning Code.

Mr. Laney presented the case. Lyndsay Thorn of the Thorn Group was present and addressed the board.

Open discussion followed regarding the proposed improvements.

Chairman Orr opened the public hearing at 5:58 p.m.

Those requesting to speak with interest in the case were as follows:

Janie Stephens, 137 Lamont Ave (Seeking clarification on the requested variance)

No one else requested to speak with interest in the case, so the public hearing was closed at 6:03 p.m.

Mr. Woodard moved to approve the variance conditioned upon the variance being restricted to an approximately 18-24-inch-wide architectural feature. Mr. Rose seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2442 – 300 Circle St

Application of Jahan H. Ahmadi, owner, requesting the following variance(s) on the property located at **CB 4050 BLK 72 LOTS 34, 35, 36, & W 8.5FT OF 33**, also known as **300 Circle St**, zoned MF-D:

1. No landscape area provided along the rear property line instead of the minimum 8 ft required per Section 3-50(1),
2. No landscape area provided along each side yard property line bordering a street per Section 3-50(2),
3. No street trees within public street rights-of-way instead of the minimum one (1) tree required for each twenty-five (25) feet of lot frontage per Section 3-50(5), and
4. No planting strips provided for street trees within public street right-of-way adjacent to curbs instead of the minimum five (5) feet wide planting strip required per Section 3-50(6) of the City's Zoning Code.

Mr. Laney presented the case. Mr. Ahmadi was present and addressed the board. Mr. Ahmadi noted that his purpose in requesting the variances was to remove certain multifamily required under his property's zoning because he plans to build a single-family residence.

Open discussion followed between the board and applicant regarding the proposed improvements.

Chairman Orr opened the public hearing at 6:09 p.m. No one requested to speak on the case, so the public hearing was closed at 6:09 p.m.

Mr. Rose moved to approve the requested variances. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2443 – 516 & 518 Circle St

Application of Sergio Galindo, owner, requesting the following variance(s) in order to construct a new duplex at the property located at **CB 4050 (HALE SUBDIVISION), BLOCK 63 LOT S IRR 66.76 FT OF 40**, also known as **516 & 518 Circle St**, zoned 2FC:

1. A proposed 20ft front yard setback to the main structure instead of the minimum 25ft required per Section 3-34,
2. A proposed 10ft rear yard setback to the main structure instead of the minimum 25ft required per Section 3-36, and
3. A proposed 7ft 6-inch side yard setback to the main structure on the west side instead of minimum 15ft required per Section 3-35(2) of the City's Zoning Code. structure located to the front of the main building instead of to the rear as required per Section 3-85(1) of the City's Zoning Code.

Mr. Laney presented the case. Mr. Galindo was not present at the meeting.

Chairman Orr opened the public hearing at 6:12 p.m. No one requested to speak on the case, so the public hearing was closed at 6:13 p.m.

Mr. Rose posed a clarifying question to Mr. Laney regarding whether the proposal had undergone any formal plan review by city staff. Mr. Laney confirmed that no formal plan review had been conducted to date. He further stated that the requested variances had been previously granted by the Board, but the variances had expired before any work on the project began.

Mr. Rose moved to approve the requested variances. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2444 – 219 Rosemary Ave

Application of Curtis and Abigail Stavinoha, owners, requesting the following self-identified variance(s) in order to enclose the porte-cochere attached to the main structure on the property located at **CB 5571A BLK 8 LOT 15, 16, 17, AND E ½ of 14**, also known as **219 Rosemary Ave**, zoned SF-A:

1. The proposed wall plate of the main structure exceeds the height looming standard per Section 3-19(2)(a) of the City's Zoning Code. proposed pool structure located to the front of the main building instead of to the rear as required per Section 3-85(1) of the City's Zoning Code.

Mr. Laney presented the case. Mr. Stavinoha was present and addressed the board. Mr. Stavinoha noted that he had spoken with the City of Alamo Heights Fire Department and that the Fire Chief had no concerns about accessing the enclosed porte cochère in case of an emergency.

Open discussion followed between the board and applicant regarding the proposed improvements. Mr. Woodard asked staff whether the looming standard would have been part of the review of the porte cochère in question. Mr. Laney noted that the open-air porte cochère exists today and is therefore legal nonconforming. He also noted that the reason the case is before the BOA is because the enclosure of the structure is an improvement to an already-existing, non-compliant structure.

Chairman Orr opened the public hearing at 6:19 p.m. No one requested to speak on the case, so the public hearing was closed at 6:20 p.m.

Mr. Rose moved to approve the requested variances. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2447 – 355 Albany St

Application of Emma Grace Butler and Michael Rufin Kiolbassa, owners, requesting the following variance(s) to replace an existing fence on the property located at **CB 4050 BLK 81 LOTS 27-30**, also known as **355 Albany St**, zoned SF-A:

1. The proposed 6ft tall fence within the minimum required portion of a front yard exceeds the maximum 3ft allowed per Section 3-81(7) of the City's Zoning Code.

Mr. Laney presented the case. Mr. Kiolbassa was present and addressed the board. He provided a history of the site and noted the existing conditions and proposed replacement fence.

Chairman Orr opened the public hearing at 6:24 p.m. No one requested to speak on the case, so the public hearing was closed at 6:24 p.m.

Mr. McIlhenny moved to approve the requested variances. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard

AGAINST: None

Case No. 2446 – 5307 Broadway St

Application of Richard Garrod of Studio8 Architects representing 5703 Broadway LTD, owner, requesting the following self-identified variance(s) in conjunction with renovations on the property located at **CB 4024 BLK 33 LOT 3, 5, 6, E 50ft of 2 & LOT 7 EXP SW 71.36FT**, also known as **5307 Broadway St**, zoned B-1/P/MF-D:

1. Use the building's net square footage of Office (1:300) and Restaurant (1:100) parking spaces instead of the building's Gross Square Footage to calculate the minimum off-street parking requirements as outlined by Section 3-84(1)e of the City's Zoning Code.

Mr. Laney presented the case. Trebes Sasser Jr., representative for the project, was present and addressed the board. He provided a history of the building located at 5307 Broadway, the proposed renovation of the building, and a summary of the parking variance request.

Open discussion followed between the board and applicant regarding the proposed improvements and parking variance request.

Chairman Orr opened the public hearing at 6:44 p.m.

Those requesting to speak with interest in the case were as follows:

Mary Turnbull, 133 Kennedy Ave (Opposed)
Bruce Petersen, 202 Kennedy Ave (Opposed)
Catherine Easley, 130 Kennedy Ave (Opposed)
James Runnels, 210 Joliet Ave (Opposed)
Bill Fitzsimons, 121 Kennedy Ave (Opposed)

General concerns related to the requested parking variance included:

- Lack of parking spaces leading to parking on the street
- General lack of parking for commercial properties in Alamo Heights
- Safety of pedestrians walking around the neighborhood with increased traffic

No one else requested to speak with interest in the case, so the public hearing was closed at 7:07 p.m.

The Board acknowledged the concerns of those who spoke against the requested variance, but also discussed the merits of the proposed project as well as how they felt that the requested parking variance was consistent with the amount of parking provided by commercial sites throughout the Broadway Corridor.

Mr. Rose moved to approve the requested variance. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard
AGAINST: None

Case No. 2414 – 215 Morse St

Request by Myles Caudill of Gary Jacobs, owner, for a 180-day extension.

Mr. Laney presented the case.

Mr. McIlhenny moved to approve the requested extension. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, McIlhenny, Woodard
AGAINST: None

There being no further business, Mr. McIlhenny moved to adjourn the meeting. David Rose seconded the motion followed by unanimous consent of the board. The meeting was adjourned at 7:15 p.m.

THE PROCEEDINGS OF THE MEETING ARE ALSO DIGITALLY RECORDED, AND THESE MINUTES ARE ONLY A SUMMARY OF THE MEETING. THESE MINUTES ARE NOT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS AND DO NOT PURPORT TO INCLUDE ALL IMPORTANT EVIDENCE PRESENTED OR STATEMENTS MADE.



Bill Orr, Chairman
(Board Approval)



Date Signed & Filed



Tyler Brewer, Senior Planner
Community Development Services